

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

KENNETH ORIZ,

Defendant.

4:12CR3115

MEMORANDUM AND ORDER

The defendant has admitted that he violated the terms of his pretrial release and he has entered a plea of guilty.

There is a rebuttable presumption that no condition or combination of conditions of release will reasonably assure the defendant's appearance at court proceedings and the safety of the community because the defendant admits he committed a drug crime under the Controlled Substances Act (21 U.S.C. § 801 et seq.), for which the defendant could be required to serve ten or more years in prison. The defendant has not rebutted this presumption.

IT IS ORDERED:

- 1) The above-named defendant shall be detained pending sentencing.
- 2) The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.

December 21, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge